



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

October 8, 2014

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Los Angeles, CA 90049

**REGARDING: PROJECT NO. 1404-(5)
MODIFICATION TO SPECIAL USE PERMIT NO. 1404
33638 AGUA DULCE CANYON ROAD (APNs: 3213-021-017, 3213-031-002, 3213-022-026)**

Hearing Officer Patricia Hachiya, by her action of **October 7, 2014**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Modified Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **October 21, 2014**. **Appeals must be delivered in person.**

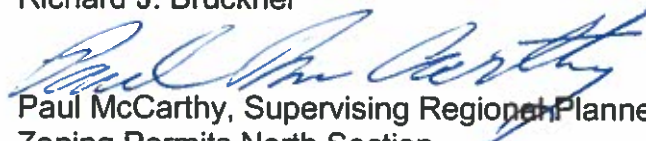
Appeals: **To file an appeal, please contact:**
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Anthony Curzi of the Zoning Permits North Section at (213) 974-6443, or by email at acurzi@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

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Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Paul McCarthy, Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement; Kaye Kirkwood

AMC:PMC

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 1404-(5)
MODIFICATION TO SPECIAL USE PERMIT NO. 1404**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed hearing in the matter of Special Use Permit No. 1404 ("SUP") on October 7, 2014.
2. The permittee, Land Sea Air Leasing Corp. ("permittee"), requests a minor modification to the SUP to modify four conditions pertaining to filing time required for a temporary use permit application, filming hours on the property, days of filming on the property, and storage of personal property in airplane hangars ("Project") on a property located at 33638 Agua Dulce Canyon Road in the unincorporated community of Agua Dulce ("Project Site") in the A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area) zone pursuant to Los Angeles County Code ("County Code") section 22.56.1600.
3. The Project Site is 110.03 gross acres (110.03 net acres) in size and consists of three legal lots. The Project Site is irregular in shape with gentle-sloping topography and is developed with an airport and appurtenant facilities.
4. The Project Site is located in the Soledad Zoned District and is currently zoned A-1-2.
5. The Project Site is located within the "P" (Public and Semi-Public Facilities) land use category of the Santa Clarita Valley Area Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: A-1-2
 - South: A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area)
 - East: A-1-2
 - West: A-1-2
7. Surrounding land uses within a 500-foot radius include:
 - North: Vacant land and single-family residences.
 - South: Vacant land and single-family residences.
 - East: Vacant land.
 - West: Vacant land and single-family residences.
8. The Commission approved Special Permit 1352, establishing the airport, on September 2, 1958. On October 27, 1959 the Commission approved the current permit (SUP 1404-[5]).
9. The site plan for the Project depicts the existing airport with a runway, taxiway, hangars, pilot lounge, swimming pool, and parking lot.

10. The Project Site is accessible via a driveway to Agua Dulce Canyon Road to the northwest. Primary access to the Project Site will be via an entrance/exit on Agua Dulce Canyon Road. Secondary access to the Project Site will be via an entrance/exit on Darling Road.
11. The Project provides parking for a total of 62 automobile parking spaces on the north side of the airport office.
12. Prior to the Hearing Officer's hearing on the Project, the permittee, in December 2012, sent a letter to the Agua Dulce Town Council (dated December 27, 2012) outlining the airport's proposed condition modifications and the justifications for them. The airport's land use representative (Aaron Clark of Armbruster, Goldsmith & Delvac LLP) presented the airport's proposed SUP condition modifications, and the justifications for same, to the Agua Dulce Town Council at its February 13, 2013 meeting. The airport's representatives (Ken Ruggles, Aaron Clark and John Musella) met with Film LA, Inc.'s Film Permit management staff (Donna Washington and two others) on November 27, 2013. The purpose of this meeting was to brief Film LA staff on the airport's proposal to eliminate the 30-day annual film cap and to allow filming within enclosed airport hangars after 10:00 P.M. The airport's land use representative presented the airport's proposed SUP condition modifications, and the justifications for same, to the Agua Dulce Civic Association on August 21, 2014.
13. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves minor modifications to conditions of approval for an existing airport and no physical changes or improvements are proposed.
14. Pursuant to the provisions of sections 22.56.1620 of the Zoning Code, the community was appropriately notified of the Project's hearing by mail, newspaper, and property posting.
15. Department of Regional Planning ("Regional Planning") staff received one protest letter to the proposed modifications. The letter objects to the modification of Condition No. 39.O, which would allow the storage of non-aircraft-related materials in the hangars. Regional Planning staff also received 17 letters of support for the proposed modifications. The support letters reference the ability of the airport to maintain filming in the community and other benefits.
16. Staff presented the case and recommended approval of the modifications with certain changes over those requested by the applicant: allowing indoor filming to 11:00 p.m. with the premises vacated by 11:30 p.m. versus the 24-hour indoor filming requested, and increasing the yearly filming cap to 60 days versus the unlimited filming requested. The applicant's representatives, Aaron Clark and Ken Ruggles, expressed concern over staff's recommendations regarding the two above

changes, particularly the limit on indoor filming. The Hearing Officer agreed to increase annual filming days to 90 and to limit indoor filming to 11:30 p.m. with the premises vacated by 12:00 midnight. The Hearing Officer then approved the modifications.

17. The Hearing Officer finds that since the County Regional Planning Commission ("Commission") approved filming for a maximum of 30 days per year, the applicant's request to permit filming for 365 days per year with 24-hour indoor filming is a major increase and beyond the discretion of the Hearing Officer. Therefore, the Hearing Officer approves an increase in annual filming days from 30 to 90, as well as an increase in indoor filming to 11:30 p.m., with the premises vacated by 12:00 midnight.
18. The Hearing Officer finds that the proposed modifications will not be inconsistent with the adopted plan for the area and that the Project will still be consistent with the adopted plan.
19. The Hearing Officer finds that proposed modifications will not violate any zoning code or development standard and that the Project will still be consistent with the Zoning Code.
20. The Hearing Officer finds that the proposed modifications to SUP 1404 will not change the land use of the site as approved. Such land use, an airport, is consistent with the adopted general plan for the area.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

21. The Hearing Officer finds that one protest was received during the specified protest period pursuant to Section 22.56.1630.A of the County Code, which was by September 15, 2014.

Therefore, not more than one protest was received by September 15, 2014, and staff may recommend approval to the Hearing Officer of the modification.

22. The Hearing Officer finds that the proposed modification of the four conditions will not change the overall scope of the previously approved project and will not alter the means by which the burden of proof was met.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

23. The Hearing Officer finds that the proposed modifications to the four conditions of approval of SUP 1404 will in no way change the size or shape of the property or physical features of the approved airport. The proposed modifications will allow the

permittee to file for a temporary use permit 30 days in advance rather than 60, will allow filming indoors until 11:30 p.m. with the premises vacated by 12:00 midnight, increases the limit on the number of days of filming from 30 to 90, and permits the storage of non-aircraft-related personal property in hangars.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

24. The Hearing Officer finds that the proposed modification of the four conditions will in no way change existing or proposed highway or street layouts, widths, or improvements. All highways and streets in the vicinity are adequate to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic generated by the project.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required.

25. The Hearing Officer finds that the proposed minor modifications are reasonable to allow the efficient operation of the airport, while maintaining the spirit of the original conditions to protect the surrounding area. The overall intent of the original conditions of approval will remain intact.

Therefore, the modified SUP will not materially deviate from the terms and conditions imposed in the previously approved SUP.

26. The Hearing Officer finds that allowing for the minor modifications will allow the airport to function more in line with rules governing other airports in the County.

Therefore, the approval of the application is necessary to allow the reasonable operation and use granted in the SUP.

27. The Hearing Officer finds that pursuant to sections 22.56.1620 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. On August 27, 2014, a total of 65 Notices of Request for Minor Modification were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 18 notices to those on the courtesy mailing list for the Soledad Zoned District and to any additional interested parties.

28. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the burden of proof for the conditional use permit as modified has been satisfied pursuant to Section 22.56.040:
 - a. Not more than one protest was received during the specified protest period pursuant to Section 22.56.1630.A;
 - b. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
 - c. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area;
 - d. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required; and
- C. That the modified SUP will not materially deviate from the terms and conditions imposed in the previously approved SUP; and
- D. That the approval of the application is necessary to allow the reasonable operation and use granted in the SUP.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption);
- 2. Approves modification to SUP 1404, subject to the attached conditions.

ACTION DATE: October 7, 2014

PMC:AMC
October 6, 2014

c: Hearing Officer, Zoning Enforcement, Building and Safety

**MODIFIED CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 1404-(5)
MODIFICATION TO SPECIAL USE PERMIT NO. 1404**

The following are modified conditions that, together with previous approvals, comprise the revised conditions of approval for Special Use Permit No. 1404.

Condition no. 32.A: The permittee shall file all temporary use permit applications with the Department at least 30 days prior to the proposed scheduled date of the special event.

Condition no. 34: Filming, as described in Condition No. 36, conducted outdoors on the grounds of the subject property after 10:00 p.m. and before 6:00 a.m. is strictly prohibited. Filming shall be permitted within the confines of an enclosed hangar(s) from 6:00 a.m. to 11:30 p.m., with the premises vacated by 12:00 midnight.

Condition no. 36: Filming on the subject property shall not occur more than 90 days per calendar year, or in connection with more than 90 film permits per calendar year, whichever is less. For the purposes of this grant, "filming" means the actual days during which filming occurs on the property as identified in a valid FilmLA, Inc.-issued film permit, per Condition No. 33, and does not include days spent by film crews during film production assembly (prep days) and disassembly (strike days). The permittee shall keep a film log indicating all days on which filming occurs on the subject property and note the number of film permits issued in relation to the subject property. Said film log shall be made available upon request for inspection by the Department's staff.

Condition no. 39.O: This grant only provides for the maintenance of flyable, certified, operational aircraft and does not allow the dismantling, salvaging, or outside storage of wrecked aircraft.

Repairs of aircraft located on the subject property are only authorized to occur within hangar structures; aircraft under repair and/or aircraft parts that are utilized for the repair of aircraft shall be stored within an enclosed hangar structure. The permittee and all lessees shall be permitted to conduct aircraft "hobbyist" activities, including washing, repairing, and the performing of routine maintenance required for the lessee's or permittee's aircraft on the subject property, provided there is no attempt to perform such services for others for profit, and further provided that such right is conditioned upon compliance with applicable law. At no time shall any hangar of a lessee be utilized for any commercial, industrial, manufacturing, residential, or other use not typically associated with the maintenance and use of personal aircraft storage, whether for-profit or without charge; however, this provision notwithstanding, the permittee and hangar owners/lessees shall be permitted to store non-aircraft-related personal property within any hangar, provided that such personal property is owned by the permittee or hangar owner/lessee in question and the primary purpose of said hangar remains for the storage of personal aircraft. Spray coating operations using pumps and compressors are strictly prohibited within the storage hangars;